

Call to Order:

The meeting was called to order at 7:37 p.m. Present were Chair, Joan Duff, and members Linn Anderson, Jay Doherty, John McDonnell, and Vincent Chiozzi; also present were Paul Materazzo, Director of Planning and Jacki Byerley, Planner.

Planning Session:

The Board opened the discussion for a planning session. Mr. Materazzo reviewed his memo to the Board dated October 5, 2011 including a narrative of the “The basic of Overlay Districts in Mass’ from the Massachusetts Smart Growth Toolkit and a PowerPoint Presentation of different overlay districts the Board has reviewed over the years. The Board asked if the 40R Overlay District has moved forward yet and how to get rid of an overlay district if they did like it. Mr. Materazzo noted the 40R has not been approved at Town Meeting yet but developers and stake holders have been expressing their interest and stated Town Meeting voted can get rid of an overlay district. Ms. Anderson noted that historically overlay districts were created for sensitive areas. Mr. Materazzo noted that an overlay district can provide options such as in SCR a single family housing or whatever is allowed by the overlay district. The Board discussed the overlay district and asked why you would change the Table of Uses and special permit requirements permit. Mr. Materazzo reviewed the businesses in the River Road area; noted a special permit is discretionary and it’s the Board decision whether that is the best use in that area. Ms. Byerley noted that 4 years ago the Board changed the design criteria in the Mix Use District to only allow a 65,000 sq ft building. Mr. McDonnell noted that the Board can’t act independently and should have a master plan and should involve the Selectmen in the process. Ms. Duff suggested staff schedule a joint meeting with the Selectmen to discuss the Board’s ideas. Mr. Materazzo asked the Board if one of the members would like to work with him to come up with some ideas to present to the Selectmen. Following a detailed discussion by the Board regarding the pros and cons of overlay districts impact to wetland and abutters the Board will continue the discussion for overlay districts at the Nov. 8th meeting.

Pine Forest Park:

The Board opened the public hearings that were continued from the September 13th meeting on an application by Angelo Petrosino for a proposed 11-lot Definitive Subdivision and a Special Permit for Earth Movement entitled Pine Forest Park located off Flash Road, North Reading, MA, Assessors’ Map 104 Lot 3.,

Joan Duff, Chair, reviewed the items that will be discussed at tonight’s meeting listed in Ms. Byerley memo to the Board dated October 6, 2011.

Luke Roy of O’Neil Associates, representing the applicant, reviewed a letter to the Board dated October 5, 2011 outlining the items to be discussed including the applicant’s responses to those items.

Mr. Roy noted that at the on Oct. 18th North Reading will hold public hearing for the Flash Road improvements. He also noted that they have addressed the Peer Reviewer, ESS Group’s comments.

Pine Forest Park (cont.):

Mr. Roy stated that he is still working with well and pump companies to obtain a long range operation and maintenance of the cistern and fire suppression and noted that they have not received a response from North Reading about the inter-municipal agreement.

Mr. Roy stated that he has spoken to North Reading Town Engineer regarding the sequence of events that occur when the emergency access is opened. He noted that the police make the call to close Burroughs Road and they contact DPW to remove the emergency access barrier. He also noted that the emergency access was opened 4 times in the last 10 years in 2010, 2006, and in 2001.

Ms Duff noted that the Board wanted a company to give the Board a presentation on the operation and maintenance of the cistern and fire suppression. Mr. Roy noted they are looking for a company who is suited to install and maintain the system. The Board stated that they are puzzled as to why the applicant has not complied with their request for a presentation on the operation and maintenance of the cistern and fire suppression and the cost to the HOA. Mr. Roy noted that he is gathering information and that the applicant is willing to compensate a company for their time but the companies do not want to give a hypothetical to something that is not approved.

Mr. Roy reviewed a map of Flash Rd, Roach Circle, Lakeside Blvd. and the lost colony in Wilmington. Mr. Chiozzi questioned the land court plan dated 1930 before the taking of land for the construction of Route 125. The Board discussed the plan, zoning requirements if there is any information regarding the taking. Ms. Byerley noted the Route 125 plans show it as a limited access highway. Ms. Anderson noted that the Fire Protection Study is dated 2008 under the MASS CMR 780 7th edition. Ms. Anderson noted there has been a change to CMR 780 to the 8th edition and questions if the changes affect the study. Mr. Roy noted that he would check into that. The Board requested an updated Fire Protection report.

Angelo Petrosino stated that for 10 years he has been trying to get an inter-municipal agreement and has sent letters to North Reading and the Andover Selectmen but has received no response. He even asked for water just for the fire protection but has had no reply. Mr. McDonnell suggested the applicant meet with the Water Superintendent in Andover regarding the water and the applicant should submit all prior correspondence with North Reading and the Andover Selectmen for the record.

Ms. Byerley reviewed her memo to the Board dated Oct. 6, 2011 and noted the she has a meeting with the school this Thursday to discuss busing. Ms. Byerley also reviewed response times from Andover Fire Rescue to Pipers Glen. Regina Reilly of 2 Flash Road questioned the busing of Andover students and the number of times per day they would be going to the area. She also questioned how the school would handle snow emergencies and flooding. Mr. McDonnell questioned how North Reading deals with flooding. Ms. Reilly of 2 Flash Rd. noted that she is a school bus driver for North Reading when flooding occurs parents have to pick their children up at the Stop & Shop parking lot and the bus drivers have to wait until parents pick up the students or bring them back to the school. Ms. Anderson requested the applicant check the school procedures in North Reading and Wilmington. Mr. Petrosino noted that he has a letter from the North Reading school department saying there are no problems. The Board requested an updated letter from the school department and confirmed that the next continued public hearings is scheduled for Oct. 25th at 7:30 pm

34 Essex Street:

The Board opened the public hearings on an application by Dalton & Finegold, LLP for a Special Permit for Major Non-Residential Project (to increase the gross floor area of an existing building by more than 2,000 s.f.) and a Special permit for change in Parking Space Requirements (use of remote/satellite parking areas.) located at 34 Essex Street. Mr. Doherty recused himself from the hearings and left the room. Attorney Jared Eigerman representing Dalton & Finegold noted that the Historic Preservation Commission at their Oct. 11, 2011 meeting voted to approve the design. William MacLeod of Andover Consultants, Inc. representing the applicant gave an overview of the location, frontage, and the proposed addition which will provide for safety improvements throughout the entire building including a handicap entrance. Mr. Macleod also reviewed the off-site parking and noted the applicant has an agreement with St. Augustine's Church for satellite parking on Brook Street. Mr. MacLeod gave the Board a handout of the architectural plans that were approved by the Historic Preservation Commission at their Oct. 11th meeting. Ms. Byerley reviewed her memo to the Board dated Oct. 5, 2011 including comments from the IDR and asked if a landscaping plan was discussed with the Preservation Commission and if an as-built plan DPW requested was done. Attorney Eigerman noted there would not be a landscaping plan. Mr. Macleod noted an as-built plan was submitted to DPW. Ms. Byerley noted that it needs to be submitted to the Planning Division. Mr. Chiozzi asked if there were other people leasing the parking lot and if the lease was not renewed. Ms. Byerley noted that the applicant would have to modify their special permit for change in parking requirements if their lease was not renewed. The Board discussed parking in the downtown area as a whole. Ms. Byerley noted that since the Board has changed the parking requirements it has help businesses. Mr. Chiozzi expressed concerns regarding satellite parking not being there in the future. The Board discussed on and off-street parking in the area of 34 Essex Street. Attorney Eigerman gave an overview of the current parking situation and noted that currently the paralegals park on-site and the attorneys park on Essex Street. On a motion by Ms. Anderson seconded by Mr. McDonnell the Board voted to continue the public hearings on an application by Dalton & Finegold, LLP for a Special Permit for Major Non-Residential Project (to increase the gross floor area of an existing building by more than 2,000 s.f.) and a Special permit for change in Parking Space Requirements (use of remote/satellite parking areas.) located at 34 Essex Street until Oct. 25th at 8:30 p.m. **Vote:** Unanimous (4-0); it should be noted Mr. Doherty returned to the meeting after the Board's vote.

Dascomb Road Rezoning:

The Board took up a discussion on a potential overlay district on Dascomb Rd. Attorney Mark Johnson representing a developer gave the Board a handout with hypothetical redevelopment scenarios if Dascomb Road was rezoned. He also handed out a Tewksbury zoning map and by-law outlining what type of uses are allowed in the area by special permits. He also noted that a traffic study was done in that area by VHB in 2006. Several Board members expressed concerns with traffic and the widen Dascomb Road. Mr. McDonnell discussed the Brockway-Smith building and the potential vision for the property. The Board discussed uses in that area, and traffic. Attorney Johnson reviewed the traffic volume for the area. Mr. Materazzo reviewed his observations of the morning traffic volumes in that area. Mr. Chiozzi asked if the rezoning would be a private article. Attorney Johnson noted that if the Planning Board likes the proposed amendments he would like the Board to sponsor the article and noted that they are willing to have VHB do a traffic impact study. Ms. Anderson questioned what the Board was looking at a

Dascomb Road Rezoning (cont.):

zoning change, a zoning overlay district, an overlay on a portion of land and noted it may be a multi-step process if specific uses are merited. Following a detailed discussion of the best uses in that area, potential build, the town's needs and revenue for the town; the Board was in consensus to continue the discussion on the Dascomb Road rezoning to the Oct. 25th meeting.

Minutes:

On a motion by Ms. Anderson seconded by Mr. McDonnell the Board voted to approve the minutes for August 23rd and September 13, 2011 as subject to final formatting. **Vote:**
Unanimous (5-0)

Adjournment: The meeting was adjourned 9:50 p.m.